

MICHAEL GIBBONS

Shareholder

407-418-6378

michael.gibbons@lowndes-law.com



A LEED-certified attorney, Michael Gibbons represents owners, developers, contractors, design professionals and subcontractors asserting a variety of construction claims (and defenses to such claims), including actions for breach of contract, delay, latent defects, water intrusion and mold, differing site conditions, extra work, indemnity and warranty.

Michael also counsels clients on issues related to construction claims of lien and surety bond claims and regularly represents clients in litigation and arbitration over construction claims of lien and payment and performance bond claims.

Formerly an Assistant State Attorney, Michael tried over 65 cases through verdict ranging from battery and DUI to Armed Robbery and Felony Murder. He has tried a variety of civil cases as well, and has substantial experience litigating ADA (Americans with Disabilities Act) cases in Federal Court under Title III of the ADA where accessibility to public accommodations is at issue.

In addition to litigating design and construction related claims, Michael often represents owners, developers, design professionals, general contractors, and sub-contractors in the preparation and negotiation of design and construction contracts. His experience litigating construction claims helps Michael identify problematic and unfavorable contract language. Conversely, his experience drafting and negotiating complex construction contracts makes Michael a more informed and knowledgeable litigator when a client needs a forceful advocate on a construction contract issue. A reasonable and clearly expressed allocation of commercial risks, rights and liabilities is essential to a good design or construction contract and critical for reducing the risk of later claims.

Accredited by the Green Building Certification Institute as a LEED (Leadership in Energy and Environmental Design) Green Associate, Michael is a frequent speaker and author on the subject of managing risks in sustainable design and construction contracts. He has

significant experience drafting and negotiating design and construction contracts incorporating sustainability principles including LEED standards.

ADMITTED

- The Florida Bar, 1990
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

EDUCATION

- University of Miami School of Law (J.D., magna cum laude, 1990) Order of the Coif
- University of Notre Dame (B.A., cum laude, 1985)

COMMUNITY ACTIVITIES

- Florida Childrens Hospital, Trustee
- NAIOP, Green Committee
- Executive Association of Greater Orlando
- Leadership Winter Park, Class XV
- Architectural Review Committee of Baldwin Park, Chairman

RECOGNITION

- Martindale-Hubbell Rating: AV
- NCAA Midwest Academic All-American
- Listed in Best Lawyers in America 2008-2022
- Selected for inclusion in Florida Super Lawyers 2009-2021
- Florida's Top Lawyers 2008, Florida Monthly Magazine

PROFESSIONAL CERTIFICATIONS & MEMBERSHIPS

- American Bar Association, Sections on: Torts and Insurance Practice Section, Fidelity and Surety Committee, Litigation Section and Construction Law Committee
- Orange County Bar Association
- The Florida Bar, Member of Green Building Subcommittee of the Construction Law Committee
- Special Certification: LEED Green Associate

REPRESENTATIVE MATTERS

- Dr. Phillips Center for the Performing Arts, Orlando, FL
- Waldorf Astoria Orlando (Hilton Hotels), Bonnet Creek, FL
- Omni Orlando Resort at Championsgate, Championsgate, FL
- Verizon Finance Center, Lake Mary, FL



- Hughes Supply (Corporate Headquarters), Orlando, FL
- Saft Lithium-Ion Battery Manufacturing Facility, Jacksonville, FL
- Dozens of multi-family design and construction agreements for apartment projects

LANGUAGES

- Portuguese

PRESENTATIONS

- Negotiating Critical Construction Contract Terms and a Contractor's Perspective on the Construction Lien Law Webinar; Central Florida Chapter Associated Builders and Contractors, Inc., April 22, 2020